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**VIA ECF**

October 9, 2020

Hon. Colleen McMahon, C.J.  
United States District Court  
Southern District of New York  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl Street  
New York, New York 10007

**Re: J.T., et al. v. Bill de Blasio, et al.  
Case No. 20-cv-5878 (CM)**

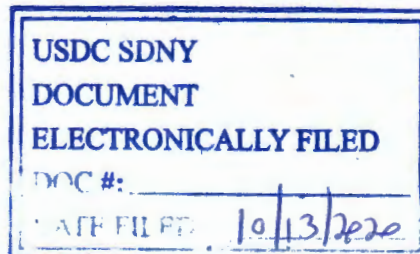
Dear Chief Judge McMahon:

MEMO ENDORSED

I am counsel for plaintiffs in the above-referenced action. I write to respectfully request that Your Honor so order the attached two subpoenas to produce documents. The documents being requested are not confidential; however, they are not easily or timely accessible to the public.

The purpose of the first subpoena to Defendant New York City Department of Education ("NYC DOE"), is to obtain documents which will assist in establishing the alleged fraud of NYC DOE as outlined in Plaintiffs' RICO Case Statement. (ECF Dkt. Entry #121). Since NYC DOE did not deny the alleged predicate acts in their two briefs and declarations to this court (ECF Dkt. Entry #138, #139, #140, and #157), these documents are germane to the Plaintiffs' case in establishing the necessary elements of a civil RICO fraud. The documents are submitted electronically to New York State and the federal government, negating any potential argument the request is unduly burdensome. Even though the alleged fraud occurred during the 2019-2020 and 2020-2021 school years, having a baseline of expenditures and reporting from the prior year, 2018-2019, will assist in the documentation of the alleged fraud.

The purpose for the second subpoena to Defendant New York State Education Department ("NYSED"), is to obtain documents which will establish the alleged fraud of the other Defendant School Districts throughout New York State. The documents are submitted electronically to New York State and the federal government, negating any potential argument the request is unduly burdensome. Even though the alleged fraud occurred during the 2019-2020 and 2020-2021 school years, having a baseline of expenditures and reporting from the prior year, 2018-2019, will assist in the documentation of the alleged fraud.



In light of the foregoing, Plaintiffs respectfully request that Your Honor so order these two subpoenas at the Court's earliest convenience.

Thank you for your consideration of this matter.

Respectfully submitted,

/S: Peter G. Albert /

Peter G. Albert

Attachments.

cc: All Counsel (via ECF)